

IN THE IOWA DISTRICT COURT FOR BUTLER COUNTY

STATE OF IOWA,

Plaintiff,

vs.

MARK DARYL BECKER,

Defendant.

No. FECR008809

JUDGMENT AND SENTENCE

2010 APR 14 04:12:53
CLERK OF DISTRICT COURT
BUTLER COUNTY, IOWA

FILED

This case came before the Court on this the 14th day of April, 2010, when the Defendant appeared for sentencing with his counsel, Susan R. Flander, Esq. and Derek Jones, Esq. The State was represented by Scott Brown, Esq., and Andrew Prosser, Esq.

On March 2, 2010, the jury found the Defendant guilty of Murder in the First Degree. I then set today for the time of sentencing.

The Defendant had no Motion in Arrest of Judgment to make. The Defendant did make a Motion for New Trial, which was denied.

Wherefore, it is the Judgment and Sentence of this Court that the Defendant, having been found guilty of a violation of Iowa Code Section 707.2 (Murder in the First Degree), is, pursuant to the authority of Iowa Code Section 707.2 and Section 902.1, adjudged guilty of the crime of Murder in the First Degree, a class A felony, and he is committed into the custody of the Director of the Iowa Department of Corrections for the rest of his life, without parole.

The Iowa Medical and Classification Center at Oakdale, Iowa, is designated as the reception center to which the Sheriff of this county is ordered to deliver the Defendant.

The costs of this proceeding are ordered taxed against the Defendant and judgment therefor shall be entered against him. In addition, the following judgments are entered against Mr. Becker:

1. Pursuant to Section 910.3B, restitution in the amount of \$150,000 for the death of Ed Thomas. This judgment shall be payable to Ed Thomas' estate.
2. The State's expert witness fees in the sum of \$10,000.
3. Defense counsel's attorney fees in the sum of \$16,600.
4. Defendant's expert witness fees in the sum of \$53,709.82.
5. Defendant's "other" expenses in the sum of \$824.80.

Before sentencing the State filed a Statement of Pecuniary Damages. That statement includes nine claims. The Defendant has objected, in whole or in part, to all nine claims. As to the first claim, however, Claim No. 100128, labeled "Edward Thomas," the Defendant objects to an expenditure of only \$87.50 on the total claim of \$21,284.60. Accordingly, the Defendant is directed to make reimbursement to the Crime Victim Compensation Program the sum of \$21,197.10 with reference to Claim No. 100128.

With respect to disputed claims 2 through 9, inclusive, and to that part of Claim No. 100128 which was disputed in the amount of \$87.50, the State and the Defendant agreed that the Court may take those disputes under consideration. The parties were allowed to argue for and against payment of those claims. The State has requested two additional weeks to submit additional legal arguments on the issue of payment to the Crime Victim Compensation Program. The Defendant requests one week after submission of the State's brief. Their requests are granted.

The Defendant was advised of his rights of appeal to the Iowa Supreme Court.

No appeal bond is set pursuant to Section 811.1.

Done and Ordered this 14th day of April, 2010.



STEPHEN P. CARROLL

Judge of the Second Judicial District of Iowa

Clerk shall furnish copies to:

Scott Brown, Esq. ✓

Andrew Prosser, Esq. ✓

Susan R. Flander, Esq. ✓

Derek Jones ✓

4-14-10

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2010 APR 14 PM 12:53

CLERK OF DISTRICT COURT
BUTLER COUNTY, IOWA